CIRCULAR.

No. 2062.

POLITICAL DEPARTMENT.

Bombay Castle, 16th March, 1888.

The Governor in Council is pleased to direct that all appeals which are presented to Political Agents for transmission to Government, should be forwarded, and that the Political Agents if they consider them inadmissible on any ground should state their reasons. They should also point out to appellants formal defects in the appeals such as absence of a copy of a judgment appealed against and the like, with a view to their being supplied before the petition is definitely accepted.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Agent, Káthiáwár,
The Political Agent, Kolhápur and Southern Marátha Country,
The Political Agent, Rewa Kántha,
The Political Agent, Cutch,
The Political Agent, Mahi Kántha,
The Political Superintendent, Pálanpur,
The Political Superintendent, Sávantvádi,
The Agent for Sardars in the Deccan,
The Agent to His Excellency the Governor, Surat,
The Collector and Political Agent, Khándesh,
The Collector and Political Agent, Sátára,
The Collector and Political Agent, Thána,
The Collector and Political Agent, Kolába,
The Collector and Political Agent, Dhárwár,
The Collector and Political Agent, Kaira,
The Collector and Political Agent, Sholápur,
The Collector and Political Agent, Bijápur,
The Collector and Political Agent, Poona.

No 1212 of 1888
Honnatti 27 March 1888
Copy forwarded for information to the
Nawab Saheb of Savanur.

For the collector and
Political Agent.

No. 6790.

POLITICAL DEPARTMENT.

Bombay Castle, 12th October 1888.

RESOLUTION OF GOVERNMENT.

The following Rules which have been made by the Governor in Council, with the concurrence of the Honourable the Chief Justice and Judges of Her Majesty's High Court of Judicature of Bombay, should be communicated to Political Officers with instructions to notify them within their respective charges. They should also be published in the *Bombay Government Gazette* for general information.

Rules for the Examination of subjects of Native States who are Candidates for Sanads to practise as Pleaders in any of the Courts in the Native States within the political supervision of the Government of Bombay, which have been established by the authority of the British Government, or are presided over by Officers appointed by the British Government.

1. An examination of candidates for sanads to practise as Pleaders in any of the said Courts will be held annually in the month of February or March, or at such other convenient time as may be determined by the High Court, on a date of which due notice will be given in the *Government Gazette*. There will be two standards of proficiency, the examinations for which will be held simultaneously, but with different papers for each standard. Success in the examination according to the Higher Standard will, from such date as the Governor in Council hereafter fixes in this behalf, be recognized as a test for candidates for judicial office in the lower grades of the said Courts, and will also entitle to sanads to practise as Pleaders in the said Courts; while success in the examination according to the Lower Standard will entitle to sanads to practise as Pleaders only in the said Courts.

2. The examinations will be conducted by a committee appointed by the Honourable the Chief Justice and Judges of Her Majesty's High Court. Each candidate desiring admission must submit, in writing, through the Political Agent of the State of which he is a subject, a separate application addressed to the Secretary to Government, Political Department.

3. Any subject of any Native State within the Political supervision of the Government of Bombay, desirous of qualifying himself for any of the above offices, may be permitted to be examined at any such examination, provided he has not been prohibited from appearing by any former Committee, and provided he shall, on or before the first day of February preceding the examination, have transmitted to the Secretary to Government, Political Department, with his application satisfactory certificates (dated not earlier than the 1st October immediately preceding the examination) to the following effect:—

(*a*) that he is a subject of a Native State within the Political supervision of the Government of Bombay, together with the place of his birth, and his exact age, which, at the date of the examination, must be more than twenty-two years;

(*b*) that he can speak, read and write, with ease and correctness, one of the vernacular languages which are spoken in the Native States of the Bombay Presidency, *viz.* Maráthi, Gujaráti and Kánarese;

(*c*) that he is of good moral character;

and provided that he has paid a fee of Rs. 15, for which a receipt will be furnished by the Assistant Secretary to Government, Political Department. (The fee will be returned if the candidate's certificates are not considered satisfactory.

If the candidate, before the beginning of the examination, satisfy the Secretary to Government, Political Department, that he is unavoidably prevented by sufficient reasons from presenting himself for examination, the fee will be reserved, and will be available for the next examination.)

4. The certificates mentioned in para. 3 may be signed by any Political Officer of the Government of Bombay or by any officer of a Native State under the Political supervision of the Government of Bombay and countersigned by a Political Officer of the Government of Bombay.

5. A candidate who has once been admitted to the examination under these or previous rules will, subject to the provisions of Rule 13, be allowed to appear again on production only of the certificate of good moral character required under Rule 3 (*c*), and on payment of the fee required by that rule.

6. In cases in which the eligibility of a candidate in respect of age or character appears doubtful, such inquiries as may be necessary will be made by the order of Government in the Political Department, which will pass final orders in the case.

7. The Secretary to Government, Political Department, will publish in the *Government Gazette*, at a reasonable time before the date fixed for the examination, a list of the candidates whose applications have been admitted, and a copy of this list will be sent, under the signature of the Secretary to Government, Political Department, to the Registrar of the High Court of Bombay.

8. The examination will be conducted in writing (and if necessary *viva voce* also) in the English language, want of proficiency in which, as shown in the candidate's answers, will be held to disqualify him.

9. In each standard six papers will be set to the candidates, as follows; the maximum number of marks obtainable is shown opposite each subject :—

I.	Hindu and Mahomedan law	100
II.	The Laws of Civil Procedure and Limitation ...	100
III.	The Law of Contracts and Torts	100
IV.	The Law of Specific Relief, Transfer of Real Property, Mortgage and Trusts	100
V.	The Law of Evidence, Registration, and Stamps...	100
VI.	Criminal and Police Laws	100

10. In addition to the Acts and Regulations and the Reports of the High Courts, the following Text-books are recommended, the examiners, however, not being in any way confined to these Text-books in setting their questions :—

Mayne on Hindu Law and Usage.
West and Bühler's Digest of Hindu Law.
Macnaghten's Principles and Precedents of Mahomedan Law.
Field on the Law of Evidence in British India.
Cunningham's Commentaries on the Indian Evidence Act.
Cunningham's Commentaries on the Indian Contract Act.
Collett on Torts.
Smith's Equity Jurisprudence or Snell's Principles of Equity.
Broome's Legal Maxims.

11. In order to pass the examination according to either standard the candidate must obtain at least 30 per cent. of the marks obtainable in each paper and 60 per cent. of the aggregate number of marks obtainable in all the papers.

12. A list of successful candidates, arranged in the order of merit, in the Higher and Lower Standards, respectively, will be published (in the *Government Gazette*) under the orders of Government in the Political Department.

13. If the Committee are of opinion that any candidate has come up for examination without due preparation, they may prohibit his appearing at the next examination.

14. Each candidate who has passed the examination according to the Higher Standard may, on application, have his name entered on a list of Candidates for judicial offices in Courts of the lower grades in Native States within

the Political supervision of the Government of Bombay, established by the authority of the British Government or presided over by officers appointed by the British Government. Each candidate, who has passed the examination according to either standard, may, on application and payment of a fee of Rs. 5, receive a sanad authorizing him to practise in such one or more of the said Courts as Government in the Political Department may determine.

15. The Governor in Council may, in consideration of the particular merits of an applicant in the public service or other special reasons, dispense with any of the rules herinbefore prescribed as to the qualifications for admission to the examination.

16. These rules will come into force on, and after, the 1st April 1889.

17. Certificates will be granted to the successful candidates in such form as the Examination Committee shall deem proper.

18. No appeal will be allowed by any candidate against the results of the examination as declared by the Examination Committee.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
All Political Officers,
The Judicial Department,
The Registrar of Her Majesty's High Court, Bombay (by letter).

No 4204 of 1888
22nd October 1888
Copy forwarded for information and guidance to the Nawab Saheb of Savanoor.

for ag Collector & Pol: agent

Recorded is 1-90